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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,501	12/20/2001	Niko Eiden	442-010744-US(PAR)	1992

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PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER

CHO, UN C

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 03/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,501

Applicant(s)

EIDEN ET AL.

Examiner

Un C Cho

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18-25 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 3/12/2002 was filed after the mailing date of the Application 10/027501 on 12/20/2001. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

2. The disclosure is objected to because of the following informalities: the word "transceivver" in page 4, line 32 should be "transceiver" instead.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1, 6 – ¹⁶~~15~~, 18 – 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajima et al. (US 6,441,721) in view of O'Dea et al. (US 5,511,232).

Regarding claim 1, Tajima teaches bringing the users of the at least two bracelet-type data transmitter/receiver into a physical contact (Fig. 5, 200(400)).

Tajima also teaches detecting the physical contact between the users of the at

least two bracelet-type data transmitter/receiver (Tajima, Col. 6, lines 15 – 19). However, Tajima fails to teach that establishing the group of the at least two wireless terminals for group communication over a wireless link between the at least two wireless terminals of the established group. In contrast, O'Dea teaches establishing radio talk group among the group and other transceivers over a communication channel (O'Dea, Col. 2, lines 31 – 43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of O'Dea to Tajima to provide customer, or end user, configurable group talk capability, without the need for infrastructure support, or expensive programming tools.

Regarding claim 6, Tajima teaches transferring a signal via said physical contact between the users wearing the bracelet-type data transmitter/receiver device (Tajima, Col. 6, lines 15 – 19).

Regarding claim 7, Tajima teaches generating signal in one of the bracelet-type transmitter/receiver. Tajima also teaches transmitting said generated signal to the body of a first user, the first user being the user of the signal generating bracelet-type transmitter/receiver, and further to the body of a second user being physically connected to the first user. Moreover, Tajima teaches detecting the transmitted signal in the bracelet-type data transmitter/receiver device of the second user (Tajima, Col. 6, 15 – 19 and Fig. 5).

Regarding claim 8, Tajima teaches that the signal is a 2 MHZ frequency signal (Tajima, Col. 4, lines 10 – 14).

Regarding claim 9, Tajima as modified by O'Dea fails to teach that the signal frequency is less than 1 megahertz. However, using a specific frequency is obvious to one having ordinary skill in the art in order to comply with the FCC. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of the FCC to Tajima and O'Dea to provide the signal frequency, which is less than 1 megahertz.

Regarding claim 10, Tajima teaches the signal including at least an attribute data such as information plate's ID data (Tajima, Col. 4, lines 5 – 8).

Regarding claim 11, Tajima teaches that physical contact includes one of a handshake (Fig. 5) and any other contact between the users allowing a signal to pass between the users (Tajima, Col. 6, 15 – 19 and Fig. 5).

Regarding claim 12, Tajima fails to teach that to confirming the establishment of said group between the users of the wireless terminals by transmitting a message to a wireless terminal of the group over the wireless communication. However, O'Dea teaches that to confirming the establishments of said talk group configuration process by transmitting the radio talk group identifier to slave transceivers (O'Dea, Col. 4, lines 18 – 28). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of O'Dea to Tajima to provide customer, or end

user, configurable group talk capability, without the need for infrastructure support, or expensive programming tools.

Regarding claim 13, Tajima teaches a bracelet-type data transmitter/receiver device (Fig. 5) comprising a radio transmitter (Fig. 2, 400 and Fig. 5, 400)/receiver (Fig. 3, 200 and Fig. 5, 200) and a contact point (Fig. 2, 401 and Fig. 3, 201).

Regarding claim 14, Tajima teaches each bracelet-type data transmitter/receiver device has a contact electrode (Fig. 2, 401 and Fig. 3, 201) for generating and transmitting said signal in to the body of the user (Tajima, Col. 4, lines 52 – 57 and Col. 5, lines 20 – 23).

Regarding claim 15, Tajima fails to teach that said group comprises at least three wireless user terminals. However, O'Dea teaches that radio talk group comprises at least three radio transceivers (Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of O'Dea to Tajima to provide customer, or end user, configurable group talk capability, without the need for infrastructure support, or expensive programming tools.

Regarding claim 16, Tajima teaches that the physical contact is a chain contact where one of the users is physically connected to a second one of the users. In contrast, Tajima as modified by O'Dea fails to teach that the users further being in physical contact with a third one of said users. However, expanding the addition of more users to the physical contact would have been

obvious to one of ordinary skill in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further include more users to come into physical contact to establish a group.

Regarding claim 18, Tajima teaches that while the users are in the physical contact, each user is also in contact with an electrode further having a connection with the bracelet-type data transmitter/receiver device of each respective user (Fig. 5) (Tajima, Col. 4, lines 52 – 57, Col. 5, lines 20 – 23 and Col. 6, 15 – 19).

Regarding claim 19, the claim is interpreted and rejected for the same reason as set forth in claim 1.

Regarding claim 20, the claim is interpreted and rejected for the same reason as set forth in claim 13

Regarding claim 21, the claim is interpreted and rejected for the same reason as set forth in claim 14.

Regarding claim 22, Tajima teaches that the bracelet-type data transmitter/receiver device further comprises a controller (Fig. 2, 408) to trigger transmission of a signal to the body of the user when in said physical contact (Tajima, Col. 58 – 63).

Regarding claim 23, the claim is interpreted and rejected for the same reason as set forth in claim 11.

Regarding claim 24, the claim is interpreted and rejected for the same reason as set forth in claim 8.

Regarding claim 25, the claim is interpreted and rejected for the same reason as set forth in claim 9.

5. Claims 2 - 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tajima in view of O'Dea as applied to claim 1 above, and further in view of Arazi et al. (US 6,430,395).

Regarding claim 2, Tajima as modified by O'Dea fails to teach the step of detecting a vicinity of the at least two wireless terminals using wireless communication. However, Arazi teaches that Personal Area Network (PAN) devices such as handset supports standard cellular communication, and also has the ability to communicate with personal area network devices that are in its near vicinity, using short-range communication (Arazi, Col 2, lines 20 – 34). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Arazi to Tajima and O'Dea to provide a technique for allowing mobile units such as standard cordless telephone handsets, laptop or notebook computers or similar devices that support wireless communication to seamlessly connect to a Wireless Private Branch Exchange or to a cellular telephone network, thereby avoiding the use of special handsets or attachments or software or hardware agents.

Regarding claim 3, Tajima as modified by O'Dea and Arazi teaches entering the radio transceivers into a group creation mode. Moreover, Tajima as modified by O'Dea also teaches that the group information is exchanged among the transceivers (O'Dea, Col. 2, lines 31 – 43).

Regarding claim 4, Tajima as modified by O'Dea and Arazi teaches that the master transceiver transmits the group information, which initiates the process and the talk group creation (O'Dea, Col. 2, lines 31 – 43).

Regarding claim 5, Tajima as modified by O'Dea and Arazi teaches the user (Fig. 1, 100) wearing the bracelet-type device (Fig. 1, 200) performing an action of touching a contact point (electrode) (Fig. 1, 401) (Tajima, Col. 4, lines 45 – 47). Moreover, Tajima as modified by O'Dea teaches enabling group mode configuration of radio transceivers by turning on an on/off switch (Fig. 1, 125).

Allowable Subject Matter

6. Claim 17 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Reason for allowance:

Regarding claim 17, Tajima as modified by O'Dea fails to teach that each of the users of the group are in physical contact with each other upon forming the group.

7. Claim 17 is allowed.


Art Unit: 2682

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Un C Cho whose telephone number is (703)305-8725. The examiner can normally be reached on M ~ F 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (703)308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Un C Cho UC
Examiner
Art Unit 2682
3/18/2004


LEE NGUYEN
PRIMARY EXAMINER